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IN THE UNITED STATES PATENT OFFICE

April 27, 2010

Miller Thomson LLP
Accelerator Building
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Waterloo, Ontario
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APPLICANT : New World Generation Inc.

INVENTORS : Paul H.F. Merswolke et al
SERIAL NO. : 10/596,314
FILED : 06/08/2006
TITLE : WIND TURBINE TO PRODUCE ELECTRICITY
DOCKET : 58342.0013

Mail Stop Amendment
Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, VA, 22313-1450

ATTENTION: Dwayne J. White, Examiner
Art Unit 3745

Dear Sir:

Further to your letter of April 1, 2010, a copy of which is enclosed for ease of reference,
please find enclosed form PTO 2038 for the payment of \$130.00 excess claims fee.

It is respectfully submitted that the Application is now in condition for allowance.

04/29/2010 TLUU22 00000044 10596314


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Respectfully submitted,


Daryl W. Schnurr
Reg. No. 28,569
(519) 593-3226



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APPLICATION NO	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO	CONFIRMATION NO
10/596,314	06/08/2006	Paul H F. Merswolke	58342 0013	5263

24629	7590	04/01/2010
DARYL W SCHNURR MILLER THOMSON LLP ACCELERATOR BUILDING 295 HAGEY BLVD, SUITE 300 WATERLOO, ON N2L 6R5 CANADA		

EXAMINER	
WHITE, DWAYNE J	

ART UNIT	PAPER NUMBER
3745	

MAIL DATE	DELIVERY MODE
04/01/2010	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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NOTICE REQUIRING EXCESS CLAIMS FEES	Application No.	Applicant(s)	
	10/596,314	MERSWOLKE ET AL	
		Art Unit	
		3700	

The excess claim(s) filed on 09 December, 2009 is not accompanied by the appropriate payment of excess claims fees set forth in 37 CFR 1.16(h)-(j) or 1.492(d)-(f). Excess claims fees are required for each claim in independent form in excess of three (§ 1.16(h)), each claim (whether dependent or independent) in excess of twenty (note that § 1.75(c) indicates how multiple dependent claims are considered for fee calculation purposes) (§ 1.16(i)), and each application that contains a multiple dependent claim (§ 1.16(j)).

Since the application is not under a final rejection, applicant is given a time period of **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, to submit either: (1) the fee payment of \$, or (2) an amendment in compliance with 37 CFR 1.121 that cancels the excess claim(s), in order to avoid ABANDONMENT. Extensions of this time period may be granted under 37 CFR 1.136, unless the excess claim(s) was presented in a preliminary amendment.

- ☐ 1. The funds in Deposit Account No. — are insufficient to cover the entire fee due. The balance is due within the time period set forth in this notice. See note below regarding the appropriate service charge.
- ☐ 2. The Credit Card payment to cover the entire fee due to Account (Card type + last 4 digits ONLY) was refused. The balance is due within the time period set forth in this notice. See note below regarding the appropriate service charge.
- ☒ 3. The amendment that includes the excess claim(s) has not been entered, since applicant has failed to remit (or authorize charge to a Deposit Account or Credit Card) the fee as indicated on the attached Patent Application Fee Determination Record (PTO/SB/06). Remittance or authorization is due within the time period set forth in this notice.
- ☒ 4. The fee submitted in this application is insufficient. A balance of \$ 130.00 is due for presentation of excess claims (37 CFR 1.16(h)-(j) or 1.492(d)-(f)).
- ☒ 5. Other.

Explanation (Provide specific details of the required correction in order to assist the applicant. Indicate whether a service charge has been added to the fee due): owe for 5 dependent claims (sm entry) 5 x26 = \$130.00

THE AMOUNT OF THE FEE(S) DUE IS SUBJECT TO CHANGE, GENERALLY ON OCTOBER 1 OF EACH YEAR (37 CFR 1.16, 1.21 & 1.492). THE AMOUNT OF THE FEE(S) DUE IS DETERMINED AS OF THE DATE A COMPLETE REPLY WITH THE APPROPRIATE FEE(S) IS RECEIVED BY THE OFFICE (37 CFR 1.8 & 1.10). BECAUSE THE AMOUNT DUE IS SUBJECT TO CHANGE, IT IS RECOMMENDED THAT APPLICANT CHECK THE CURRENT FEE SCHEDULE WHICH IS AVAILABLE ON THE USPTO'S WEBSITE AT: <http://www.uspto.gov/web/offices/ac/qs/ope/fees.htm>

Service Charges. There is a \$50 service charge for processing each payment refused (including a check returned "unpaid") or charged back by a financial institution (37 CFR 1.21(m)). There is a \$25.00 service charge for each month when the balance of a deposit account is below \$1000 at the end of the month (37 CFR 1.21(b)(2)).

Technical Support Staff (TSS): /LINDA A.
WASHINGTON/

Phone Number: (571)272-4397

Note to TSS: Please do NOT use this notice if the application is under a final rejection.